

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

ANTOINE MOODY,

Plaintiff

v.

CITY OF ALBANY, et. al.,

Defendants

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1:03-CV-75 (WLS)

ORDER

On May 9, 2006, the Court held a hearing on the pending Motions for Summary Judgment (Doc. 102, 103), at which time the Court determined that further briefing was necessary on the issue of whether a passenger, who exercises no rights of ownership or control over a vehicle, has proper standing to bring a Fourth Amendment claim challenging the initial stop of said vehicle by law enforcement.

Each party is **ORDERED** to file a succinct brief of not more than three (3) pages as to their position, based on the facts in the record, on Plaintiff's ability as a passenger in the vehicle to assert a Fourth Amendment claim as to the stop of said vehicle. Neither response nor reply briefs will be permitted. The parties are to submit said briefs to the Court **within ten (10) days** of this Order.

SO ORDERED, this 15th day of May, 2006.

/s/W. Louis Sands
W. LOUIS SANDS, CHIEF JUDGE
UNITED STATES DISTRICT COURT